

1	UNITED STATES DISTRICT COURT	
2	DISTRICT OF NEVADA	
3	ANTHONY MICHEAL BRADY,	Case No. 3:20-cv-174-RCJ-WGC
4		ORDER
5	v.	
6	BENJAMIN ESTILL, et al.,	
7		Defendants
8		

9 **I. DISCUSSION**

10 Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections  
11 ("NDOC"), has submitted a civil rights complaint under 42 U.S.C. § 1983. (ECF No. 1-1).  
12 Plaintiff has neither paid the full filing fee for this matter nor filed an application to proceed  
13 *in forma pauperis*.

14 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an  
15 application to proceed *in forma pauperis* on this Court's approved form and attach both  
16 an inmate account statement for the past six months and a properly executed financial  
17 certificate. Plaintiff has submitted a completed Financial Certificate and Inmate Account  
18 Statement at ECF No. 1-2, however, Plaintiff has not submitted an application to proceed  
19 *in forma pauperis* on this Court's approved form. The Court will retain Plaintiff's civil rights  
20 complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee  
21 is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in*  
22 *forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff  
23 chooses to file an application to proceed *in forma pauperis*, he must file a fully complete  
24 application to proceed *in forma pauperis* on this Court's approved form, including both an  
25 inmate account statement for the past six months and a properly executed financial  
26 certificate.

27 **II. CONCLUSION**

28 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND

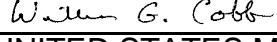
1 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well  
2 as the document entitled information and instructions for filing an *in forma pauperis*  
3 application.

4 IT IS FURTHER ORDERED that within **sixty (60) days** from the date of this order,  
5 Plaintiff must either: (1) file a fully complete application to proceed *in forma pauperis*, on  
6 the correct form with complete financial attachments in compliance with 28 U.S.C. §  
7 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing  
8 fee and the \$50 administrative fee).

9 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
10 dismissal of this action may result.

11 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint  
12 (ECF No. 1-1) but will not file it at this time.

13 DATED: March 20, 2020

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16 UNITED STATES MAGISTRATE JUDGE

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